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COMMENTS:

Patent
51306/805:1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Jorge L. Acosta et al.

Serial No.: 10/825,444

Filed: April 14, 2004

For: COMBINED DATA READER AND
ELECTRONIC ARTICLE SURVEILLANCE
(EAS) SYSTEM

Group Art Unit: 2876

Examiner: Paik, Steve

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TRANSMITTAL OF
RESPONSE TO OFFICE ACTION
and
REQUEST FOR INTERFERENCECommissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith are (1) Response to Office Action and (2) Request for Interference in connection with this application.

☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office 703-872-9306 on the date shown below.

October 19, 2004
Date of Deposit

PortInd2-4493619.1 0051306-00805

Monica Pittman

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Patent
51306/805:1

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two months	\$210.00	\$420.00
<input type="checkbox"/> three months	\$475.00	\$950.00
<input type="checkbox"/> four months	\$740.00	\$1,480.00
<input type="checkbox"/> five months	\$1,005.00	\$2,010.00
Fee		\$0.00

☒ If an (additional) extension of time is required, please consider this a petition therefor.

FEES FOR CLAIMS:

☐ Applicant claims small entity status pursuant to 37 CFR 1.27.

The fees for claims (37 CFR § 1.16(b)-(d)) have been calculated as shown below:

Total Claims	13	-	45	=	0	x	\$18.00	\$0.00
Independent Claims	5	-	7	=	0	x	\$86.00	\$0.00
Multiple Dependent Claims	\$280	(if applicable)					<input type="checkbox"/>	\$0.00
TOTAL OF ABOVE CALCULATIONS								\$0.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.							<input type="checkbox"/>	\$0.00
TOTAL FEES FOR CLAIMS SUBMITTED HERewith								\$0.00

☐ Charge PSC's Deposit Account No. 13-4953 in the amount of \$0.00

☒ The Commissioner is authorized to charge PSC's Deposit Account No. 13-4953 for any fees which may be required by this paper that are not covered by the above payment.¹

Respectfully submitted,

Dated: October 19, 2004

By John A. Rafter, Jr.
John A. Rafter, Jr.
Reg. No. 31,653
Attorney/Agent for PSC Scanning, Inc.

¹ The Commissioner is authorized to charge Stoel Rives LLP's Deposit Account No. 19-4455 if the above-referenced Account No. 13-4953 has insufficient funds.

Parent
51306/805:1

STOEL RIVES LLP
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Attorney Docket No. 51306/805:1

Dated: October 19, 2004

By 

Frank A. Cona
Reg. No. 38,412
Attorney/Agent for Sensormatic Electronics Corporation

OCT 19 2004

Patent
51306/805:1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Acosta et al.

Serial No.: 10/825,444

Filed: April 14, 2004

For: COMBINED DATA READER AND
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(EAS) SYSTEM

) Group Art Unit: 2876

) Examiner: Steve Paik

AMENDMENT AND RESPONSE TO OFFICE ACTION

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated September 21, 2004, please amend the application identified above as follows.

Amendments to the specification commence at page 2 of this paper.

Amendments to the Claims are reflected in the listing of Claims which begins on page 3 of this paper. Claims 32-56 and 84-87 are canceled and new Claims 91-93 are added by this Amendment.

Remarks commence on page 10 of this paper.

Portland2-4489816.2 0051306-00805